



Order Filed on October 2, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

STEVEN P. KELLY, ESQUIRE  
Stern & Eisenberg, PC  
1040 N. Kings Highway, Suite 407,  
Cherry Hill, New Jersey 08034  
Telephone: (609) 397-9200  
FACSIMILE: (856) 667-1456  
(COUNSEL FOR MOVANT)

In Re:  
Arthur Frank Cook aka Arthur Frank Cook, Jr. and Lori A.  
Cook aka Lori Albanese aka Lori A. Albanese-Cook  
Debtors

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U.S. Bank Trust, N.A., as Trustee for LSF9 Master  
Participation Trust  
Creditor/Movant

v.  
Arthur Frank Cook aka Arthur Frank Cook, Jr. and Lori A.  
Cook aka Lori Albanese aka Lori A. Albanese-Cook  
Respondents

Case Number: 17-12189-CMG

Chapter 13

Judge: Christine M. Gravelle

ORDER APPROVING STIPULATION/CONDITIONAL ORDER SETTLING THE MOTION FOR  
RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through three (3) is  
hereby **ORDERED**.

**DATED: October 2, 2017**

  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

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Debtor: Arthur Frank Cook aka Arthur Frank Cook, Jr. and Lori A. Cook aka Lori Albanese aka Lori A. Albanese-Cook

Case Number: 17-12189-CMG

Caption of Order: Order Approving Stipulation/Conditional Order Settling the Motion for Relief from the Automatic Stay

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Upon the Motion of U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) through its Counsel Stern & Eisenberg PC, attorneys for secured creditor, under Bankruptcy Code (section 362(d), et al.) for relief from the automatic stay as to certain property, 65 Laurel Ave, Neptune, NJ 07753 ("Property"), and the entry of the Order settling the Motion for Relief and for cause shown, it is hereby ORDERED and DECREED as follows:

1. At the date of this Order, Arthur Frank Cook aka Arthur Frank Cook, Jr. and Lori A. Cook aka Lori Albanese aka Lori A. Albanese-Cook ("Debtors") acknowledges that Debtors are due for the following post-petition regular monthly payments from June 27, 2017 through August 27, 2017 as follows:
  - a. Monthly payments total (\$1,553.95/mo):.....\$4,661.85
  - b. Post-petition suspense balance:.....(\$337.95)
  - c. Attorney Fees:.....\$531.00
  - d. Total arrears as of date of Order:.....\$4,854.90
2. Debtors shall cure the Arrears as set forth above by filing an Amended Plan within 30 days incorporating the post-petition delinquency in the amount of \$4,854.90 to the pre-petition arrears of \$128,228.51 making a total of \$133,083.41 to be paid through the Plan. Debtor agrees to continue regular monthly mortgage payments (currently \$1,553.95/month) beginning September 27, 2017.
3. In the event the regular monthly payment changes for any reason, then the amount due pursuant to paragraph 2 shall be adjusted accordingly.
4. Payments due in accordance with this Order shall be due on or before the 1<sup>st</sup> day of each month.
5. Debtors shall make the regular monthly payments required to the Trustee.
6. All payments due to the Creditor from the Debtors are to be made directly to U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust c/o Caliber Home Loans, Inc. at P.O. Box 650856, Dallas, TX 75265-0856 and making sure that Creditor's loan number appears on all payments.
7. In the event that Movant alleges that Debtors have failed to comply with obligations under paragraph 2 through 5 of this Consent Order/Stipulation, Creditor and/or Counsel may give Debtors and Debtors' counsel notice of the default and if such default is not cured within ten (10) days of said notice, upon certification to the court of such default, and request for Order, with a copy to Debtors and Debtors' counsel, the Court may grant Creditor

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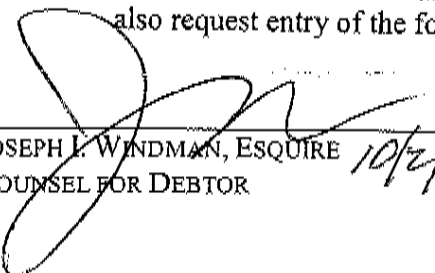
Debtor: Arthur Frank Cook aka Arthur Frank Cook, Jr. and Lori A. Cook aka Lori Albanese aka Lori A. Albanese-Cook

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Caption of Order: Order Approving Stipulation/Conditional Order Settling the Motion for Relief from the Automatic Stay

immediate relief from the bankruptcy stay, per the form of attached Order which is made part hereof as Exhibit "A". Debtors shall pay \$75.00 for each notice of default issued by Movant as a result of the Debtors' failure to comply with this Consent Order/Stipulation.

8. The failure by the Creditor, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Creditor's rights hereunder. In the event Debtor fails to comply with the terms of this Order for more than 30 days, Creditor may submit a certification of default and proposed Order for Relief from the Automatic Stay to the court and serve a copy of such Certification of Default upon the Debtor and Debtor's counsel. Fourteen days after receipt of a Certification of Default, the court will enter an order granting Creditor relief from the automatic stay unless the Debtor has filed an objection to the Certification of Default specifying reasons for the objection; in which case the court will set a hearing on the objection.
9. Upon issuance of the aforesaid Order, the parties hereto further agree that Creditor may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.
10. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Creditor shall be granted immediate relief from the automatic stay and may also request entry of the form of Order attached as Exhibit "A".

  
JOSEPH L. WINDMAN, ESQUIRE  
COUNSEL FOR DEBTOR

10/2/17

/s/Steven P. Kelly, Esq.  
STEVEN P. KELLY, ESQUIRE  
STERN & EISENBERG, PC  
ATTORNEY FOR CREDITOR

SHOWN HERE IF ACCEPTABLE

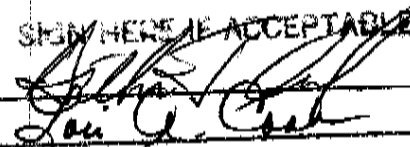
  
Lori A. Cook

EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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**ORDER GRANTING RELIEF FROM AUTOMATIC STAY AND IN REM RELIEF FOLLOWING  
CERTIFICATION OF DEFAULT OF CONDITIONAL ORDER /STIPULATION**

Upon Motion of U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) for relief and a Certification of Default having been filed in accordance with the Order/Stipulation Resolving the Motion, it is hereby ORDERED AND DECREED that Movant, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (Creditor) (and any assignee/successor-in-interest) is granted relief from the stay of 11 U.S.C. §362, et al. to proceed with its mortgage foreclosure action and Sheriff's Sale (and all other rights under state and federal law) concerning the Property: 65 Laurel Ave, Neptune, NJ 07753 ("Property")

It is further ORDERED and DECREED that the 14-day stay pursuant to BKRP 4001(a)(3) is hereby waived.